

**UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF NORTH CAROLINA
DURHAM DIVISION**

IN THE MATTER OF:
Valerie J. Kenion

Debtor(s)

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No. B-11-81036 C-13D

**ORDER GRANTING RELIEF FROM THE AUTOMATIC STAY AND
CO-DEBTOR STAY**

On August 9, 2011, a hearing was held on the Motion by Ocwen Loan Servicing, LLC (“Movant”) pursuant to 11 U.S.C. §362 to modify the automatic stay entered in this case to permit the Movant to foreclose upon its lien on the Debtor’s property known as 905 Chalmers St., Durham, NC (“the real property”), and on a Motion pursuant to 11 U.S.C. §1301 to permit the Movant to pursue its collection remedies against a co-debtor, Izell Kenion. At the hearing, Koury Hicks, Esq. appeared on behalf of the Debtor, and Benjamin E. Lovell, Esq. appeared on behalf of the Standing Trustee and stated to the Court that he had been informed by counsel that all matters in controversy were settled. The Court, after considering the Motions in this case and having heard and considered the statements of the attorney for the Trustee, finds that the interests of the Movant are not adequately protected and that the Motions should be granted; therefore, by and with the consent of the parties, it is ORDERED:

1. The Motions of the Movant for relief from the automatic stay and co-debtor stay, pursuant to 11 U.S.C. §§362 and 1301, are granted.

2. The automatic stays under 11 U.S.C. §§362 and 1301 are modified to permit the Movant and any junior lienholders to foreclose upon the real property.

3. The Movant and any junior lienholders shall have 180 days from the entry date of the Confirmation Order within which to file documented deficiency claims for any deficiency realized on the foreclosure of the real property and failure to file documented deficiency claims within said time will result in the release of the real property being shall be in full satisfaction of the indebtedness due the Movant, any junior lienholders, and the Debtor’s liability.

4. The stay of this Order under Rule 4001(a)(3) of the Federal Rules of Bankruptcy Procedure is not applicable.

PARTIES IN INTEREST

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Valerie J. Kenion
905 Chalmers St.
Durham, NC 27707

Izell Kenion
905 Chalmers St.
Durham, NC 27707

John T. Orcutt, Esq.
6616-203 Six Forks Rd.
Raleigh, NC 27615

Richard M. Hutson, II
Standing Trustee
PO Box 3613
Durham, NC 27702

Mathias H. Hunoval, Esq.
501 Minuet Ln., Ste. 104-A
Charlotte, NC 28217

Mr. Paul Parker
315 E. Chapel Hill St., Ste. 400
Durham, NC 27701